IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

ANDY DEWAYNE SMITH, :

Petitioner, :

vs. : CIVIL ACTION 08-00569-CG-B

KENNETH JONES, et al.,

Respondents. :

JUDGMENT

It is **ORDERED**, **ADJUDGED**, and **DECREED** that this action be dismissed without prejudice.

DONE and **ORDERED** this 30th day of December, 2008.

/s/ Callie V. S. Granade

CHIEF UNITED STATES DISTRICT JUDGE